GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Transport Department –Sri K.Prabhakar Rao, AMVI, Gudur, Tirupati District- Appeal filed against the award of punishment of withholding of increment by one year with cumulative effect on the allegations of misconduct – Appeal Allowed –Orders – Issued.

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TRANSPORT, ROADS & BUILDINGS (VIG-Tr[2]) DEPARTMENT

G.O.RT.No. 267 Dated: 30-08-2024

Read the following:-

1) From the Transport Commissioner, AP, proceedings R.No.20022/18/ V1/2020, dt.02.05.2024
2) Appeal Filed by Sri K.Prabhakar Rao, AMVI, Gudur, dt.05.08.2024
3) From the T.C., AP, Lr.No.20022/18/V1/2020, Dated:22.08.2024

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ORDER:

Whereas, in the reference 1st read above, punishment of withholding of increment by one year with cumulative effect awarded to Sri K.Prabhakar Rao, AMVI, Gudur, Tirupati district by the Transport Commissioner, on the allegation of Sri K.Prabhakar Rao, the then Senior Assistant, working in the office of the Deputy Transport Commissioner, Nellore committed grave misconduct in as much as he acquired the certificate of diploma in Automobile Engineering stated to have been in AL-Huda Polytechnic college, Nellore though he was not eligible even to write examinations of three year course of Automobile Engineering which prescribe attendance not less than 75% working days during each year etc..

2) Against the said punishment, Sri K.Prabhakar Rao, AMVI, Gudur, has filed Appeal petition before the Government stating that inquiry was conducted on pseudonymous complaint, wherein the credentials and whereabouts of complainants are not available. As per In Circular Memo.No.706/Spl. Gen.Admn.(Spl.A) Dept., dated 28-10-1999, it is hereby ordered that no action should at all be taken on any anonymous or pseudonymous petitions or complaints, received against the cadre and non-cadre officers of the State Government and they must just be filed. However, the inquiry was conducted. Further, he has stated that has taken prior permission from the T.C to pursue DAE Course vide Progs R.No. 6513/01/2003, dt.02.07.2003 of Transport Commissioner, AP, Hyderabad. Further, he has stated that he attended a local private institution called "AL Huda Polytechnic, Nellore" by attending the classes before office hours and after office hours for practical's since the said institution has conducted classes during early hours of morning etc. That the reason he has not applied for leave (i.e., EL, HPL and EOL etc..) which Imparts course in the morning hours without disturbance to the official work. The Principal, AL-HUDA POLYTECHNIC COLLEGE, Nellore has given statement that Sri K.Prabhakar Rao, AMVI has attended the classes in the morning and leaving for attending his office duties. He was officially allowed for appearing examinations basing on the same attendance i.e., 65 % and also paid condonation fee every year. He studied the course without disturbance to the official work and no remark has been reported by the cadre controlling officer.

(Contd…2)

3) Government, after detailed examination of the Enquiry Report and the Appeal Petition filed by Sri K.Prabhakar Rao, AMVI, Gudur, Tirupati District, it is found that the appellant had taken prior approval of Transport Commissioner, to pursue higher studies. Further, the Principal, AL-HUDA POLYTECHNIC COLLEGE, Nellore has deposed that the Appellant attended the classes in the morning session from 8 am to 10.45 am and evening after 5 pm without causing any hindrance to office work. That the reason he has not applied for leave (i.e., EL, HPL and EOL etc..) . The Appellant was permitted to appear in the examinations on payment of Condonation fee for shortage of attendance. Moreover, the inquiry in this case was initiated on the basis of a pseudonymous petition.

4) Therefore, Government hereby allow the Appeal Petition filed by Sri K.Prabhakar Rao, AMVI, Gudur, Tirupati District, duly set aside the earlier punishment of withholding of increment by one year with cumulative effect imposed vide reference 1st read above and drop further action against him.

5) The Transport Commissioner, Andhra Pradesh, Vijayawada, shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KANTILAL DANDE
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Transport Commissioner, AP, Vijayawada.
Sri K.Prabhakar Rao, AMVI, Gudur, Tirupati District through the Transport Commissioner, A.P, Vijayawada
Copy to:
The PS to Hon'ble Minister (Transport, Youth & Sports)
The PS to Prl. Secretary, TR&B Department.
SF/SC

//FORWARDED:: BY ORDER//

SECTION OFFICER